

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

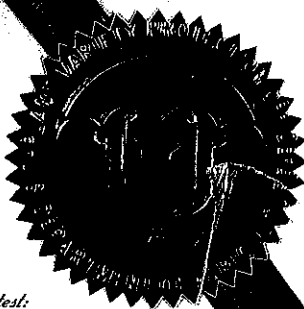
'Sure Shot'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-first day of March, in the year two thousand and five.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995:

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)

Seminis Vegetable Seeds, Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

PSR 2209

3. VARIETY NAME

'Sure Shot' JRM 4/29/96

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

37437 State Hwy 16 2700 Camino del Sol
Woodland CA 95695 Oxnard, CA

93030-7967

5. TELEPHONE (include area code)

(530) 666-0931

6. FAX (include area code)

(530) 666-6791

FOR OFFICIAL USE ONLY

PVPO NUMBER

20000006

F I L I N G

DATE

12/6/99

7. GENUS AND SPECIES NAME

Lactuca Sativa L.

8. FAMILY NAME (Botanical)

Asteraceae

9. CROP KIND NAME (Common name)

Lettuce

FILING AND EXAMINATION FEE:

\$ 2450.00

DATE

12/6/99

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)

Corporation

CERTIFICATION FEE:

\$ 432.00

11. IF INCORPORATED, GIVE STATE OF INCORPORATION:

California

12. DATE OF INCORPORATION

1962

DATE

1-13-2005

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

Thomas Kramer
Seminis Vegetable Seeds
Nude 54D
6702 DN Wageningen
The Netherlands

14. TELEPHONE (include area code)

01131317450218

15. FAX (include area code)

01131317450217

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of the Variety
d. ☐ Exhibit D. Additional Description of the Variety (Optional)
e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership
f. ☒ Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)
g. ☐ Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)

YES (If "yes," answer items 18 and 19 below)

NO (If "no," go to item 20)

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES☒ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION☐ REGISTERED☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

YES (If "yes," give names of countries and dates)

NO

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

SIGNATURE OF APPLICANT (Owner(s))

NAME (Please print or type)

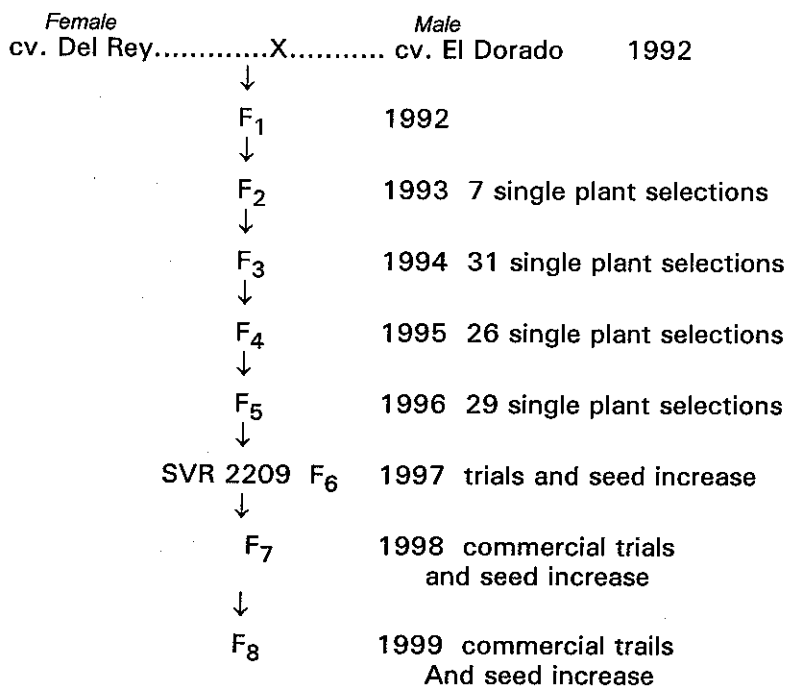
NAME (Please print or type)

CAPACITY OR TITLE

DATE

CAPACITY OR TITLE

DATE

Exhibit A. Origin and Breeding History of Lettuce cv. Sure Shot (SVR 2209)**Pedigree of cv. Sure Shot (SVR 2209)**

Cv. Sure Shot originated in 1992 with the cross cv. Del Rey by cv. El Dorado. Single plant selections were made in subsequent years in the areas of intended commercialization. By F₆ a group of 14 families was judged genetically stable and bulked for trialing and seed increase. An F₇ mass was trialed during 1998 and an increase of F₈ seed increase was produced in the San Joaquin Valley this year.

The breeding work was carried out by Dr. William Waycott at the Petoseed Company's Research Station at Arroyo Grande, California. Petoseed Company was purchased by Seminis Vegetables Seeds, Inc. in 1995, and the work continued by the same staff at the Arroyo Grande location until the present. Replicated field trials were conducted in production areas throughout Coastal California during 1998 and are planned for 1999.

The breeding method employed was pedigree selection, using both single plant selection and mass selection practices. The selection criteria for cv. Sure Shot were:

1. a cultivar with increased uniformity, and improved heading ability, when compared to the most similar varieties,
2. resistance to downy mildew, and
3. resistance to lettuce mosaic virus.

In trials of cv. Sure Shot during the last seven years covering generations F₆ to F₁₃, we have seen neither genetic variants nor off-types in more than 15,000 plants, indicating that this variety is genetically uniform and stable.

Exhibit B. Novelty Statement of Lettuce cv. Sure Shot (SVR 2209)

Cv. Sure Shot is described as a vigorous crisphead lettuce cultivar adapted to Coastal California. Its optimum sowing period is from mid-November to mid-December in the San Joaquin Valley of California, and from January to June in Coastal California. Cv. Sure Shot is resistant to California pathotypes I, II, IIB, III, IV, and V of downy mildew and contains the mo gene conferring resistance to lettuce mosaic virus. Cv. Sure Shot was selected for improved uniformity and performance compared to the currently commercial cultivars grown during these production periods.

Phenotypically, cv. Sure Shot is distinct from its most similar commercial cultivar, cv. Sharp Shooter (Table 1). Cv. Sure Shot is larger in head size (19.8 cm vs. 19.3 cm) and more vigorous and uniform than cv. Sharp Shooter, downy mildew resistant (resist. to I,IIa,IIb,III,IV,V vs. resist. I,IIa,III,IV) and lettuce mosaic virus resistant (resistant vs. suscept.). In replicated field trials, cv. Sure Shot consistently exhibited more plants with round, firm, and heavy heads (983 g vs. 927 g), while cv. Sharp Shooter exhibited less uniformity of heading with several plants having soft or puffy heads, as well as susceptibility to downy mildew (suscept. IIb,V).

The data presented here are statistically different at the 95% confidence level, exhibiting a range of means for plant diameter from 47.6 to 48.5 for cv. Sure Shot and from 46.7 to 47.5 for cv. Sharp Shooter, and of means for head weight from 981.6 to 984.4 for cv. Sure Shot and from 925.4 to 928.6 for cv. Sharp Shooter, using the 0.95 probability of generating confidence intervals (CI) that contains the means.

Table 1. Evaluation of cv. Sure Shot and the most similar cultivar, Sharp Shooter, for several important characters.

Trial No	Cultivar	Rep No.	Color ^a	Downy Mildew Resist. ^b	Corky Root Rot Resist. ^c	Lettuce Mosaic Resist. ^d	Plant Diam. ^e	Head Diam. ^f	Head Weight ^g	No. of Days to 15 cm ^h	
Trial 1: Evaluated: 13 May 99 Salinas Valley	Sure Shot:	Rep. 1	146A	I,IIa,IIb, III,IV,V	Suscept.	Resist.	48.3±1.7	19.8±0.8	980±5.3	67	
		Rep. 2	146A	I,IIa,IIb, III,IV,V	Suscept.	Resist.	47.5±1.1	20.3±1.2	976±6.8	65	
	Average:		146A	I,IIa,IIb,	Suscept.	Resist.	47.9±1.4	20.1±1.0	978±6.1	66	
	Sharp Shooter:	Rep. 1	146A	I,IIa,III,IV	Resist.	Suscept.	47.5±1.5	20.4±1.3	933±6.2	63	
		Rep. 2	146A	I,IIa,III,IV	Resist.	Suscept.	47.1±1.7	19.6±1.2	929±7.6	62	
Average:		146A	I,IIa,III,IV	Resist.	Suscept.	47.3±1.6	20.0±1.3	931±6.9	63		
Trial 2: Evaluated: 25 May 99 Salinas Valley	Sure Shot:	Rep. 1	146A	I,IIa,IIb, III,IV,V	Suscept.	Resist.	47.6±1.7	20.2±1.1	995±6.6	65	
		Rep. 2	146A	I,IIa,IIb, III,IV,V	Suscept.	Resist.	48.5±2.0	19.6±0.9	981±6.3	66	
	Average:		146A	I,IIa,IIb, III,IV,V	Suscept.	Resist.	48.1±1.9	19.9±1.0	988±6.5	66	
	Sharp Shooter:	Rep. 1	146A	I,IIa,III,IV	Resist.	Suscept.	47.2±1.9	20.0±1.4	927±6.8	63	
		Rep. 2	146A	I,IIa,III,IV	Resist.	Suscept.	46.7±1.7	19.7±1.2	919±7.8	62	
Average:		146A	I,IIa,III,IV	Resist.	Suscept.	47.0±1.8	19.9±1.3	923±7.3	63		
Range of variation among means of statistically significant differences at the 95% level using the confidence interval [CI = mean ± cv. Sure Shot cv. Sharp Shooter											
								47.6 to 48.5	981.6 to 984.4	981.6 to 984.4	
								46.7 to 47.5	925.4 to 928.6	925.4 to 928.6	

^a Color evaluation was done using the Royal Horticultural Society color chart, U.K.

^b Downy mildew survey reported as resistance to California Pathotypes I through V, using two replications each having 15 seedlings, grown in laboratory screens.

^c Corky root rot survey of using five replications, each having 25 roots from plants grown in field trials in Monterey and Santa Maria Counties, CA, evaluated between June and August, 1997 and 1998.

^d Lettuce mosaic virus survey using two replications each having 40 seedlings, grown in laboratory screens.

^e Mean plant diameter using two sowing dates of 20 plants per replication in cm ± standard deviation.

^f Mean head diameter using two sowing dates of 20 plants per replication in cm ± standard deviation.

^g Mean head weight using two sowing dates of 20 plants per replication in grams ± standard deviation.

^h Mean number of days until stem reaches 15 cm using two replications of 20 plants each.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION
OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE *Lactuca sativa*

EXHIBIT

NAME OF APPLICANT (S)

Seminis Vegetable Seeds, Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

37437 State Hwy 16
Woodland CA 95695

FOR OFFICIAL USE ONLY

PVPO NUMBER

200000066

VARIETY NAME

'Sure Shot' JRM 6/24
PSR 22-09

EXPERIMENTAL DESIGNATION

Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is:

Color System Used:

1. PLANT TYPE:

(See list of suggested check varieties page 4.)

06

01=Cutting/Leaf

02=Butterhead

03=Bibb

04=Cos or Romaine

05=Great Lakes Group

06=Vanguard Group

07=Imperial Group

08=Eastern (Ithaca) Group

09=Stem

10=Latin

11=OTHER

2. SEED:

COLOR

1=White (Silver Gray)

2=Black (Gray Brown)

3=Brown (Amber)

LIGHT DORMANCY

1=Light Required

2=Light Not Required

HEAT DORMANCY

1=Susceptible

2=Not Susceptible

2

2

1

3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

2

SHAPE OF COTYLEDONS:

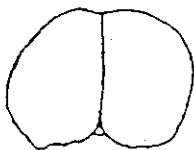
1=Broad

2=Intermediate

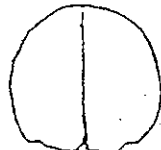
3=Spatulate

4

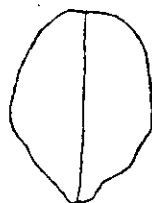
SHAPE OF FOURTH LEAF:



1



2



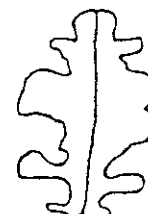
3



4



5



6

18

LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

1

APICAL MARGIN:

1=Entire

2=Crenate/Gnawed

3=Finely Dentate

4=Moderately Dentate

5=Coarsely Dentate

6=Incised

7=Lobed

8=OTHER (specify)

2

BASAL MARGIN:

2

UNDULATION:

1=Flat

2=Slight

3=Medium

4=Marked

3

GREEN COLOR:

1=Yellow Green

2=Light Green

3=Medium Green

4=Dark Green

5=Blue Green

6=Silver Green

7=Gray Green

ANTHOCYANIN:

1

DISTRIBUTION:

1=Absent

2=Margin Only

3=Spotted

4=Throughout

5=OTHER (specify)

-

CONCENTRATION:

1=Light

2=Moderate

3=Intense

1

ROLLING:

1=Absent

2=Present

1

CUPPING:

1=Uncupped

2=Slight

3=Markedly

1

REFLEXING:

1=None

2=Apical Margin

3=Lateral Margins

4. MATURE LEAVES (observe harvest-mature outer leaves):

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

MARGIN:

<input type="checkbox"/> 2	INCISION DEPTH: (deepest penetration of the margin)	1=Absent/Shallow (Dark Green Boston)	2=Moderate (Vanguard)	3=Deep (Great Lakes 659)
<input type="checkbox"/> 1	INDENTATION: (finest divisions of the margin)	1=Entire (Dark Green Boston)	3=Deeply Dentate (Great Lakes 659)	5=OTHER (specify)
		2=Shallowly Dentate (Great Lakes 65)	4=Crenate (Vanguard)	
<input type="checkbox"/> 2	UNDULATION OF THE APICAL MARGIN:	1=Absent/Slight (Dark Green Boston)	2=Moderate (Vanguard)	3=Strong (Great Lakes 659)
<input type="checkbox"/> 4	GREEN COLOR:	1=Very Light Green (Bibb)	3=Medium Green (Great Lakes)	5=Very Dark Green
		2=Light Green (Minetto)	4=Dark Green (Vanguard)	6=OTHER
ANTHOCYANIN (grown at or below 10 C):				
<input type="checkbox"/> 1	DISTRIBUTION:	1=Absent	3=Spotted (Calif. Cream Butter)	5=OTHER (specify)
		2=Margin Only (Big Boston)	4=Throughout (Prize Head)	
<input type="checkbox"/> -	CONCENTRATION:	1=Light (Iceberg)	2=Moderate (Prize Head)	3=Intense (Ruby)
<input type="checkbox"/> 3	SIZE:	1=Small	2=Medium	3=Large
<input type="checkbox"/> 2	GLOSSINESS:	1=Dull (Vanguard)	2=Moderate (Salinas)	3=Glossy (Great Lakes)
<input type="checkbox"/> 1	BLISTERING:	1=Absent/Slight (Salinas)	2=Moderate (Vanguard)	3=Strong (Prize Head)
<input type="checkbox"/> 3	LEAF THICKNESS:	1=Thin	2=Intermediate	3=Thick
<input type="checkbox"/> 1	TRICHOMES:	1=Absent (smooth)	2=Present (spiny)	

5. PLANT (at market stage. Choose a comparison variety appropriate for this type.):

<input type="checkbox"/> 48	SPREAD OF FRAME LEAVES:	<input type="checkbox"/> 47 cm	<u>SHARP SHOOTER</u> (specify comparison variety)
<input type="checkbox"/> 20	HEAD DIAMETER (market trimmed with single cap leaf):	<input type="checkbox"/> 20 cm	<u>SHARP SHOOTER</u> (specify comparison variety)
<input type="checkbox"/> 3	HEAD SHAPE:	1=Flattened 2=Slightly Flattened	3=Spherical 4=Elongate 5=Non-Heading 6=OTHER
<input type="checkbox"/> 3	HEAD SIZE CLASS:	1=Small	2=Medium 3=Large
<input type="checkbox"/> 24	HEAD COUNT PER CARTON		
<input type="checkbox"/> 983	HEAD WEIGHT:	<input type="checkbox"/> 927 g	<u>SHARP SHOOTER</u> (specify comparison variety)
<input type="checkbox"/> 3	HEAD FIRMNESS:	1=Loose 2=Moderate	3=Firm 4=Very Firm

6. BUTT (bottom of market-trimmed head):

<input type="checkbox"/> 2	SHAPE:	1=Slightly Concave	2=Flat	3=Round
<input type="checkbox"/> 2	MIDRIB:	1=Flattened (Salinas)	2=Moderately Raised	3=Prominently Raised (Great Lakes 659)

7. CORE (stem of market-trimmed head):

<input type="checkbox"/> 31	mm Diameter at base of head	
<input type="checkbox"/> 65	Ratio of head diameter/core diameter	
<input type="checkbox"/> 58	Core height from base of head to apex:	<input type="checkbox"/> 80 mm
	mm This Variety	<u>SHARP SHOOTER</u> (specify comparison variety)

8. BOLTING (Give First Water Date 19 MAY 98):

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

<input type="checkbox"/> 55	Number of days from First Water Date to seed stalk emergence (summer conditions):	<input type="checkbox"/> 57	<u>SHARP SHOOTER</u> (specify comparison variety)
	This Variety		
<input type="checkbox"/> 3	BOLTING CLASS:	1=Very Slow 2=Slow	3=Medium 4=Rapid 5=Very Rapid
<input type="checkbox"/> 100	Height of mature seed stalk:	<input type="checkbox"/> 94 cm	<u>SHARP SHOOTER</u> (specify comparison variety)
	cm This Variety		

Spread of Bolter Plant (at widest point):

46

cm This Variety

50

cm

SHARP SHOOTER

(specify comparison variety)

1

BOLTER LEAVES:

1=Straight

2=Curved

1

MARGIN:

1=Entire

2=Dentate

3

COLOR:

1=Light Green

2=Medium Green

3=Dark Green

BOLTER HABIT:

2

TERMINAL INFLORESCENCE:

1=Absent

2=Present

2

LATERAL SHOOTS:
(above head)

1=Absent

2=Present

1

BASAL SIDE SHOOTS: 1=Absent

2=Present

9. MATURITY (earliness of harvest-mature head formation):

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ # of days	Check 2/ # of days	CHECK VARIETY 3/
Spring	114	120	SHARP SHOOTER
Summer	67	70	SHARP SHOOTER
Fall	79	83	SHARP SHOOTER
Winter			

Give planting date(s), and location(s):

Spring SOUTHERN CALIFORNIA, WESTERN ARIZONA, 1 TO 15 DECEMBER
CENTRAL CALIFORNIA (SAN JOAQUIN VALLEY, COAST) 20 DECEMBER TO 15 JANUARY
 Summer CENTRAL CALIFORNIA COAST 1 DECEMBER TO 15 AUGUST
 Fall CENTRAL CALIFORNIA COAST ↓

Winter

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION (tested and proven adapted):

(0=Not tested

1=Not Adapted

2=Adapted)

2

Southwest (Calif., Ariz. desert)

2

West Coast

0

Northeast

0

Northcentral

0

Southeast

0

OTHER

SEASON:

2

Spring (area

YUMA, IMPERIAL VALLEY
SAN JOAQUIN VALLEY, COAST

2

Fall (area

CENTRAL CALIF COAST

2

Summer (area

CENTRAL CALIF COAST

0

Winter (area

0

GREENHOUSE:

0=Not tested

1=Not Adapted

2=Adapted

1

SOIL TYPE:

1=Mineral

2=Organic

3=Both

11. DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

VIRUS

- ☒ 2 Big Vein
☒ 3 Lettuce Mosaic
☐ 0 Cucumber Mosaic
☐ 0 Broad Bean Wilt
☐ 0 Turnip Mosaic
☐ 0 Beet Western Yellows
☐ 0 Lett. Infectious Yellows
☐ Other Virus _____

FUNGAL/BACTERIAL

- ☐ 0 Corky Root Rot (Pythium Root Rot)
☒ 3 Downy Mildew (Races CA, I, II, B, III, IV, V)
☐ 0 Powdery Mildew
☐ 0 Sclerotinia Rot
☐ 0 Bacterial Soft Rot (Pseudomonas spp. & others)
☐ 0 Botrytis (Gray Mold)
☐ OTHER _____

INSECTS

- ☐ 0 Cabbage Loopers
☐ 0 Root Aphids
☐ 0 Green Peach Aphid
☐ Other Insect _____

PHYSIOLOGICAL/STRESS

- ☒ 2 Tipburn
☒ 2 Heat
☐ 0 Drought
☒ 3 Cold
☐ 0 Salt
☐ 0 Brown Rib (Rib Discoloration, Rib Blight)
☐ OTHER _____

POST HARVEST

- ☐ 0 Pink Rib
☐ 0 Russet Spotting
☐ 0 Rusty Brown Discoloration
☐ 0 Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)
☐ 0 Brown Stain

12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

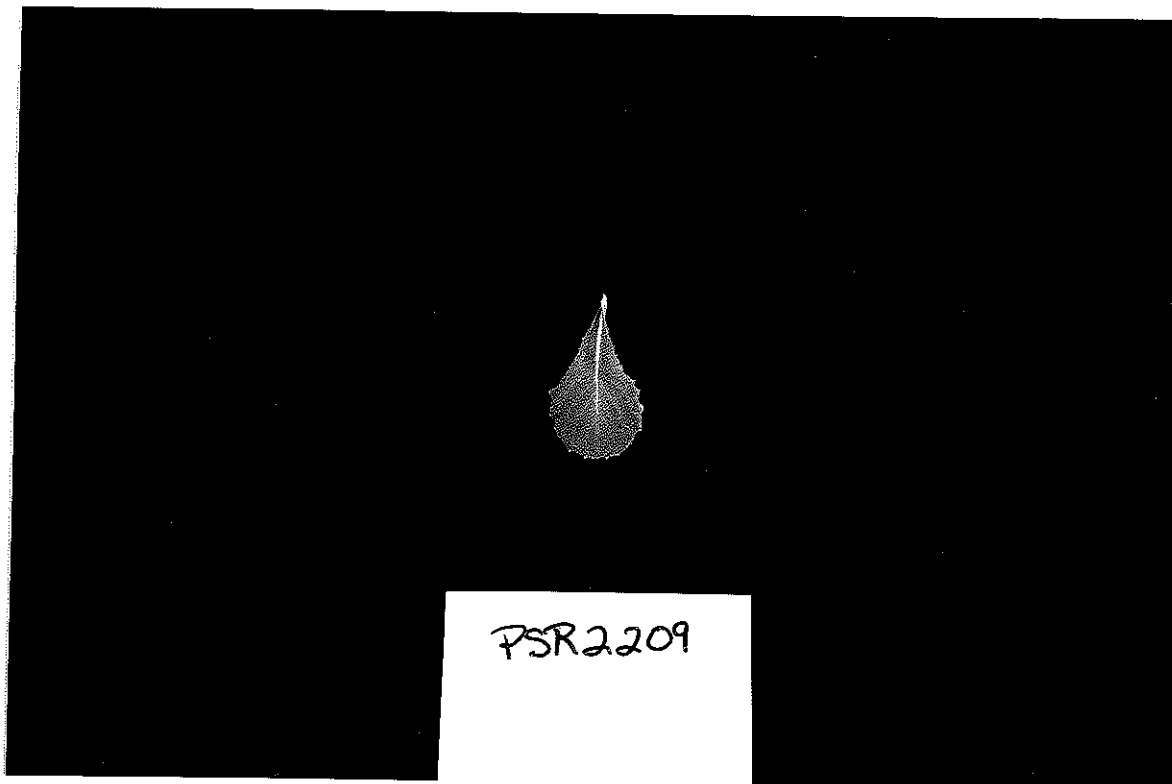
13. COMMENTS:

SUGGESTED CHECK VARIETIESTYPE

- 1) CUTTING/LEAF
 2) BUTTERHEAD
 3) B188
 4) COS, OR ROMAINE
 5) GREAT LAKES GROUP
 6) VANGUARD GROUP
 7) IMPERIAL GROUP
 8) EASTERN GROUP
 9) STEM
 10) LATIN

CHECK VARIETY

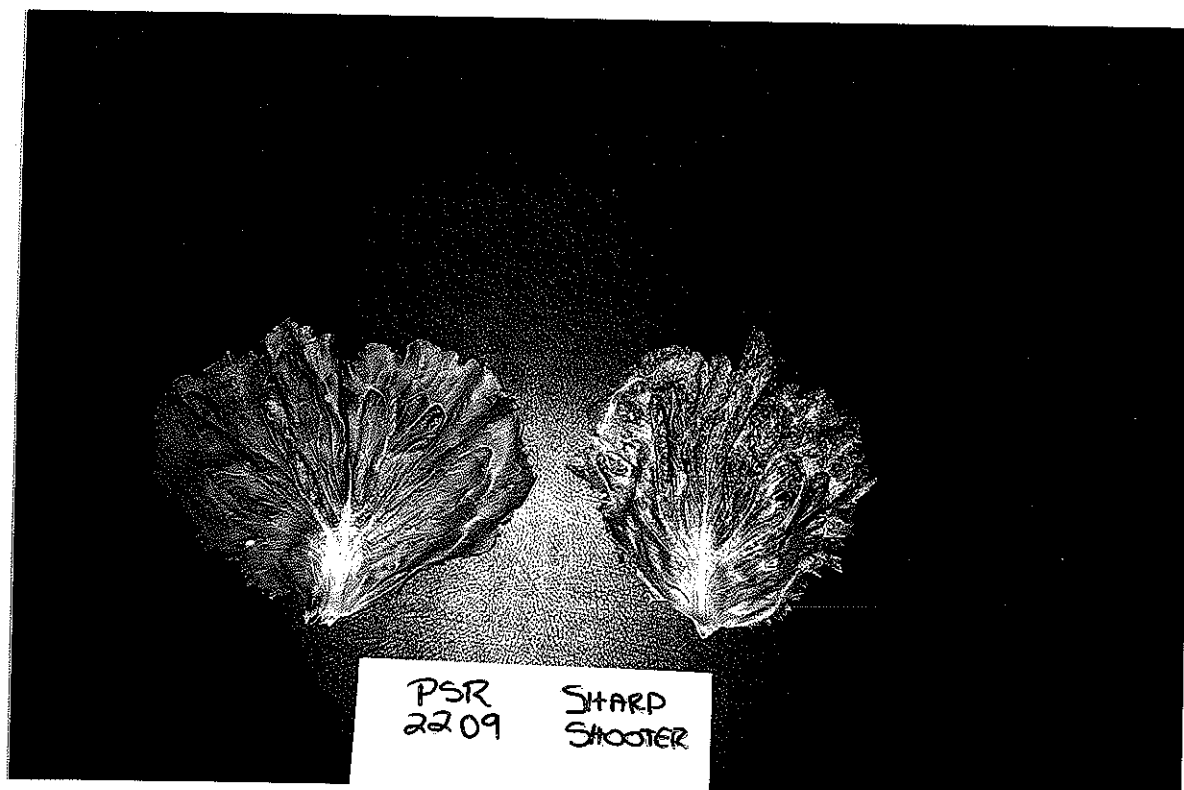
- SALAD BOWL
 DARK GREEN BOSTON
 B188
 PARRIS ISLAND
 GREAT LAKES 659-700
 VANGUARD
 VIVA
 ITHACA
 CELTUCE
 MATCHLESS



Fourth Leaf from 20-Day old Seedlings, PSR-2209

'Sure Shot'

JRM
6/24/09



Harvest-Mature Leaf, PSR 2209 (L), Sharp Shooter (R)



Harvest-Mature Plants, PSR 2209 (L), Sharp Shooter (R)

'Sure Shot'

JRW
6/29/04

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E

STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Seminis Vegetable Seeds, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER PSR 2209	3. VARIETY NAME Sure Shot
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967	5. TELEPHONE (Include area code) (805) 647-1572	6. FAX (Include area code) (805) 918-2545
7. PVPO NUMBER 200000066		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The variety named in this application was developed by the Seminis Vegetable Seeds, Inc., employee (breeder) named below. Unless otherwise stated, all rights to the varieties developed by Seminis Vegetable Seeds, Inc. are assigned to the Company by agreement or by operation of law. No rights to such invention, discovery or development are retained by the employee(s).

Employee (Breeder): Bill Waycott

Site Location: Arroyo Grande, CA

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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